

## **REMARKS**

Claims 1 and 4 through 34 are now pending in the application. Claims 29 through 33 have been withdrawn. Claims 2 and 3 are herein canceled. Claims 1, 8, 12 and 18 are herein amended. Claim 34 is herein added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1 through 8, 11 through 21 and 23 through 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Gronau et al. (U.S. Pat. No. 5,542,158). This rejection is respectfully traversed.

Claims 2 and 3 have been herein canceled, rendering the 35 U.S.C. § 102(b) rejection of Claims 2 and 3 moot.

It is initially noted Claim 1 has been amended to recite in part:

“a polymeric first portion having a flexible skirt and at least two support posts distally extending from a first side of the flexible skirt; and a metal second portion bonded to the first portion, the second portion having a plate portion defining a plane and at least two deflection wings extending from the plate portion on the first side of the flexible skirt and oppositely extending about the plane, and at least one substantially U-shaped member freely extending from a second side of the flexible skirt, the first and second portions together defining a unitary insert molded fastener having the first portion integrally joined to the second portion.”

Support for this amendment is found in paragraphs [0019], [0029] and [0033] of the specification.

Gronau et al. appears to disclose a first or grommet member 14 which is separate from and separately receives a second or metal retention prong member 20. Grommet 14 is not bonded to the prong member 20 as recited in amended Claim 1 and as clearly shown in Figures 1 and 2. Grommet 14 and prong member 20 are therefore not integrally joined to each other as also recited in amended Claim 1. Gronau et al. also does not disclose the second portion having a plate portion defining a plane having at least two deflection wings extending from the plate portion on the first side of the flexible skirt and oppositely extending about the plane as recited in amended Claim 1.

Gronau et al. therefore cannot anticipate amended Claim 1. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claim 1. Because Claims 4 through 8 and 11 depend from amended Claim 1, Gronau et al. cannot anticipate Claims 4 through 8 or 11 for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 4 through 8 and 11.

It is initially noted Claim 12 has been amended to recite in part:

“a pair of support posts extending substantially perpendicularly from a side of the skirt, each of the support posts including a flange; and a bridge co-moldable with and integrally joining distal ends of each of the support posts; and a metallic second portion including an end portion having an edge inserted partially into the flange of each of the support posts to a depth selectable to operably bond the second portion within the flange of the support posts, the end portion having a pair of integrally connected metallic deflectable wings, the deflectable wings extendable toward the flexible skirt, the first and second portions when molded together defining a unitary insert molded fastener having the first portion inseparable from the second portion.”

Support for this amendment is found in paragraphs [0019] and [0030] of the specification and as shown in Figure 6.

In addition to the arguments recited above with respect to Claim 1, Gronau et al. also does not disclose a metallic second portion including an end portion having an edge inserted partially into the flange of each of the support posts to a depth selectable to operably bond the second portion within the flange of the support posts.

Gronau et al. therefore cannot anticipate amended Claim 12. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claim 12. Because Claims 13 through 17 depend from amended Claim 12, Gronau et al. cannot anticipate Claims 13 through 17 for at least the same reasons. The Examiner is

respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 13 through 17.

It is initially noted Claim 18 has been amended to recite in part:

“a one piece fastener having a metallic portion insert moldable with a polymeric moldable portion, the metallic portion integrally bonded to the polymeric molded portion; and an edge of the metallic portion inserted partially into and integrally attached to each of the pair of support posts.”

Gronau et al. does not disclose a metal portion integrally bonded to the polymeric molded portion, or an edge of the metallic portion inserted partially into and integrally attached to each of the pair of support posts. Gronau et al. therefore cannot anticipate amended Claim 18.

The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claim 18. Because Claims 19 through 21 and 23 through 25 depend from amended Claim 18, Gronau et al. cannot anticipate Claims 19 through 21 or 23 through 25 for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 19 through 21 and 23 through 25.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gronau (U.S. Pat. No. 5,542,158) and in further view of Okada (U.S. Pat. No. 4,865,505). This rejection is respectfully traversed.

Gronau et al. appears to teach a plastic grommet 14. See column 2, lines 46-47. Gronau et al. also appears to teach a metal retention prong member 20 which is engageable within an aperture 12 of a body panel member 10. See column 3, lines 3-10. Assembly of the two parts includes "the metal pliable member 20 is fixedly connected to the depending member 30 of the interior panel 32." See column 3, lines 22-23. As further defined, "In Fig. 2 the prong 20 is shown just prior to being inserted into the grommet 14 that is fitted in the aperture 12 of the body panel 10." See column 3, lines 26-28. The prong member 20 includes "a length of sheet metal bent over on itself to form a diamond-shaped prong." See column 3, lines 6-7.

Because Gronau et al. teaches that the prong 20 is separately inserted into the grommet 14, Gronau et al. does not teach or suggest a metal second portion bonded to the first portion, the second portion having a plate portion defining a plane as recited in amended Claim 1. Gronau et al. also does not teach or suggest the second portion defining a plane having at least two deflection wings extending from the first side of the flexible skirt and extending oppositely about the plane as recited in amended Claim 1.

Okada appears to teach "a U-shaped metal leaf spring member 2 for admitting a boss portion 1a of a part 1 such as an upholstering material in the interior of an automobile." See column 3, lines 8-11. "The opposite side walls 2a of the U-shaped leaf spring member 2 are formed to have outwardly folded engagement pieces 6." See column 3, lines 15-17. Okada also appears to teach "a synthetic resin clip member 3 for admitting the leaf spring member 2 and engaging with the edge of a mounting oblong hole 5 formed in a panel 4 such as an automobile body panel." See column 3, lines 11-14. Okada further teaches "the mounting operation may be effected by ... the steps of

first causing the boss portion 1a and the clip member 3 to engage respectively with the leaf spring member 2 and with the mounting oblong hole 5 and then inserting the leaf spring member 2 into the clip member 3.”

Okada therefore also does not teach or suggest a metal second portion bonded to the first portion, the second portion having a plate portion defining a plane and at least two deflection wings extending from the plate portion on the first side of the flexible skirt and oppositely extending about the plane as recited in amended Claim 1.

The suggested modification of Gronau et al. with Okada therefore cannot render Claim 1 obvious. Because Claim 9 depends from Claim 1, the suggested modification of Gronau et al. with Okada cannot render Claim 9 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 9.

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Gronau (U.S. Pat. No. 5,542,158), and in further view of Smith et al. (U.S. Pat. No. 6,381,811). This rejection is respectfully traversed.

In addition to the discussion of Gronau et al. above, Smith et al., similar to Gronau et al., appears to teach “a U-shaped structure 12 having a first side 14, a second side 16, a top end 18, and a bottom end 20.” See column 4, lines 45-47. Smith et al. further defines that “On each side 14 and 16 of the U-shaped structure 12 there is a spring leg 22, extending outwardly from the U-shaped structure 12.” See column 4, lines 48-50.

Smith et al. therefore also does not teach or suggest a metal second portion bonded to the first portion, the second portion having a plate portion defining a plane and at least two deflection wings extending from the plate portion on the first side of the flexible skirt and oppositely extending about the plane as recited in amended Claim 1.

The suggested modification of Gronau et al. with Smith et al. therefore cannot render Claim 1 obvious. Because Claim 10 depends from Claim 1, the suggested modification of Gronau et al. with Smith et al. cannot render Claim 10 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 10.

Claim 22 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Gronau (U.S. Pat. No. 5,542,158), and in further view of Smith et al. (U.S. Pat. No. 6,381,811). This rejection is respectfully traversed.

The suggested modification of Gronau et al. and Smith et al. does not teach or suggest an edge of the metallic portion partially inserted into and integrally attached to each of the pair of support posts. The suggested modification of Gronau et al. and Smith et al. therefore does not render amended Claim 18 obvious. Because Claim 22 depends from amended Claim 18, the suggested modification of Gronau et al. and Smith et al. cannot not render Claim 22 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. 103(a) rejection of Claim 22.

Claims 16 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gronau (U.S. Pat. No. 5,542,158). This rejection is respectfully traversed.

As noted above, Gronau does not teach or suggest a metallic second portion including an end portion having an edge inserted partially into the flange of each of the support posts to a depth selectable to operably bond the second portion within the flange of the support posts, the end portion having a pair of integrally connected metallic deflectable wings, the deflectable wings extendable toward the flexible skirt, the first and second portions when molded together defining a unitary insert molded fastener having the first portion inseparable from the second portion.

The suggested modification of Gronau et al. therefore cannot render Claim 12 obvious. Because Claims 16 and 17 depend from amended Claim 12, the suggested modification of Gronau et al. cannot render Claims 16 or 17 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. 103(a) rejection of Claims 16 and 17.

Claims 26 through 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gronau (U.S. Pat. No. 5,542,158). This rejection is respectfully traversed.

For at least the same reasons as noted above, the suggested modification of Gronau et al. cannot render amended Claim 18 obvious. Because Claims 26 through 28 depend from amended Claim 18, the suggested modification of Gronau et al. cannot render Claims 26, 27 or 28 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. 103(a) rejection of Claims 26 - 28.



**AMENDED AND NEW CLAIMS**

Claim 8 has been amended to recite in part "a bridge transversely joining a distal end of each of the support posts" to define the relationship of these parts. Support for this amendment is found in paragraph [0020] of the specification. The Examiner is respectfully requested to enter amended Claim 8 prior to reconsideration of the Claims.

Claim 34 has been added herein. Support for Claim 34 is found in paragraph [0030] of the specification. Claim 34 is provided to further define over the art cited by the Examiner. The Examiner is respectfully requested to enter new Claim 34.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

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By:



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